IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FIFTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

WRIT PETITION NO: 12539 of 2004

Between:

Annam Krishna Rao, S/o Annam Bapanaiah, Hindu,
Dhanalakshmi Auto Electrical Works, Main Road, Bandarugudem, Manuguru

Mandal, Khammam District.

... PETITIONER

AND

1 Mandal Revenue Officer, Manuguru, Khammam District.
2 P. Bhadraiah, s/o Rajulu,
Near Brahmamgari Temple, Mallaram Village, Bandarugudem, Manuguru

Mandal, Khammam District.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the 1st respondent in not taking further steps in pursuance of the notices dated 24-5-2004, -6-2004 and 21-6-2004 and the interference and obstruction of the 2nd respondent in constructing the house in the above said property is illegal, arbitrary, unjust and in violation of Article 21 of the Constitution of India and consequently direct the 1st respondent to pass appropriate orders.

Counsel for the Petitioner: MR.V.PADMANABHA RAO

Counsel for the Respondent No.1: GP FOR REVENUE

The Court at the admission stage made the following:

ORDER:

Even assuming that 11 guntas of land in Sy.No.49/15 at Mallaram Village, which is said to have been purchased by the petitioner for a valuable consideration, the Mandal Revenue Officer will not have any jurisdiction to decide the dispute between the petitioner and the second respondent on the representation made by the petitioner.

2. In view of the same, directing first respondent to take appropriate action against the second respondent does not arise, since he will not have any jurisdiction. Proper remedy available for the petitioner is to approach the competent Civil Court by way of filing a suit even under the Regulations, if any.

The Writ Petition is accordingly dismissed. No costs.

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A. **GOPAL REDDY, J**

October 5, 2004

MRR

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To:

1. Mandal Revenue Officer, Manuguru, Khammam District.
2. Two C.C. s to the G.P for Revenue, High Court Buildings, Hyderabad (OUT).
3. Two C.D. Copies.